



CITY OF CEDAR PARK  
PLANNING & ZONING COMMISSION  
TUESDAY, FEBRUARY 21, 2012 AT 6:30 P.M.  
CEDAR PARK PUBLIC LIBRARY  
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

☐ ALAIN O'TOOL  
☐ HOLLY HOGUE

☐ STEPHEN THOMAS, Chair  
☐ NICHOLAS KAUFFMAN, Vice Chair  
☐ LORENA ECHEVERRIA de Misi, Secretary

☐ THOMAS BALESTIERE  
☐ JON LUX

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
3. MINUTES: Approve Minutes from the Special Called Meeting of February 7, 2012
4. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
5. CONSENT AGENDA:

A. STATUTORY DISAPPROVAL:

*(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)*

1. West Park Estates (PP-12-001)  
11.16 acres, 30 single family lots, 1 drainage and water quality lots  
Located on the south side of Cedar Park Drive just west of US Hwy 183  
Owner: Bob Gilfillan  
Staff Resource: Emily Barron  
Staff Proposal to P&Z: Statutorily Disapprove
2. Whitestone Medical Pavilion, Replat of Lot 1-B, Block A (SFP-12-001)  
4.084 acres, 2 commercial lots  
Located on East Whitestone Boulevard, east of C-Bar Ranch Trail  
Owner: Flagstar Bank FSB  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Scottsdale Crossing (PP-11-007)  
121.08 acres, 88 residential lots, 16 commercial lots  
183A Toll Road at Scottsdale

Owner: Pecan Grove SPVEF  
Staff Resource: Emily Barron  
Staff Proposal to P&Z: Approve

2. Scottsdale Crossing (SFP-11-008)  
7.619 acres, 3 commercial lots  
Located 183A at Scottsdale Road  
Owner: Pecan Grove SPVEF  
Staff Resource: Emily Barron  
Staff Proposal to P&Z: Approve
3. Lakeline Sports (SFP-11-009)  
2.8386 acres, 1 commercial lot  
Located on the south side of Old Mill Road, west of Lakeline Boulevard  
Owner: Caspita Industries Limited  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve

6. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS: **None**

7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

A. King William, Z-12-001 (Related to item 8A)

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A Consider a request by Caspita Industries, Ltd to rezone approximately 1.3 acres from Local Retail (LR) to Commercial Services with a Conditional Overlay (CS-CO) with conditions limiting the permitted uses to the following: self storage, auto parts and accessories sales, dry clean or laundry, indoor sports and recreation, and veterinary services, for property located on the south side of Lakeline Boulevard just west of the intersection of Old Mill Road and Lakeline Boulevard. (King William - Z-12-001)  
Owner: Caspita Industries, Ltd.  
Staff Resource Person: Emily Barron  
Staff proposal to P&Z: Local Retail (LR)  
1) Public Hearing  
2) P&Z Recommendation to City Council  
3) P&Z Adoption of Final Report

9. FUTURE LAND USE PLAN AMENDMENTS: **None**

10. SUBDIVISIONS (ACTION AND PUBLIC HEARING): **None**

11. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **None**

12. DISCUSSION AND POSSIBLE ACTION ITEMS:

- A. Discussion and Possible Action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02, 11.03, 11.12 and Adding 11.05 regarding masonry and architectural building regulations
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council
- B. Discussion and possible action on Ordinance Amendments to Chapter 11 – Zoning, Section 11.12 and Chapter 14 – Site Development, Section 14.07 regarding regulations for residential and non-residential fencing
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council
- C. Discussion and possible action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations Division 33 Corridor Overlay – To amend language regarding uses within Corridor Overlay
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council

13. ADMINISTRATIVE ITEMS:

*(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)*

- A. Report on City Council Actions Pertaining to Zoning Matters from January 26, 2012 and February 2, 2012
- B. Director and Staff Comments
- C. Commissioners Comments
- D. Request for Future Agenda Items
- E. Designate Delegate to Attend Next Council Meetings on February 23, 2012 and March 8, 2012

14. ADJOURNMENT

*The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.*

*All agenda items are subject to final action by the Planning and Zoning Commission.*

*Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.*

*An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.*

*At the discretion of the Planning and Zoning Commission, non-agenda items may be presented by citizens to the Planning and Zoning Commission for informational purposes; however, by law, the Planning and Zoning Commission shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.*

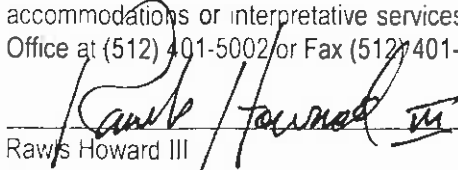
*The City Attorney has approved the Executive Session Items on this agenda, if any.*

CERTIFICATE

I certify that the above notice of the Regular Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 600 N. Bell Boulevard, Cedar Park, Texas. This notice was posted on

FEB 14 '12 PM 4:07  
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park Library Meeting Rooms are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or Fax (512) 401-5003 for further information

  
Rawls Howard III  
Director of Planning and Development Services

Notice Removed \_\_\_\_\_  
Date Stamped (Month, Day, Year, AM/PM, Time)

MINUTES FOR  
CITY OF CEDAR PARK  
REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
**TUESDAY, FEBRUARY 7, 2012 AT 6:30 P.M.**  
CEDAR PARK PUBLIC LIBRARY  
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

☒ ALAIN O'TOOL  
☒ HOLLY HOGUE

☒ STEPHEN THOMAS, Chair  
☒ NICHOLAS KAUFFMAN, Vice Chair  
☒ LORENA ECHEVERRIA, Secretary

☒ THOMAS BALESTIERE  
☒ JON LUX

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN  
**Chair Thomas called the meeting to order at 6:32 P.M. Chair Thomas read the "Chairman's Sheet" explaining the meeting procedures. Vice Chair Kauffman arrived during Item 1. All other Commissioners were present and a quorum was declared.**
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS  
**Chair Thomas led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.**
3. MINUTES: Approve Minutes from the Regular Meeting of January 17, 2012  
**MOTION: Vice Chair Kauffman moved to approve the Regular Called Meeting of January 17, 2012 Minutes as presented. Commissioner Lux seconded the motion and the motion passed 6-0, with Commissioner Hogue abstaining.**
4. CITIZEN COMMUNICATIONS *(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)*  
**Mason Binder, James Hardie Siding Products, spoke in favor of the HardiePlank product and its fire-resistant quality. He distributed a handout to the Commissioners. Harry Savio, Home Builders Association, spoke in favor of using HardiePlank type products and stated that he sponsored consumer choice.**
5. WORKSHOP
  - A. PROPOSED ZONING AND SUBDIVISION ORDINANCE AMENDMENTS – DISCUSSION ONLY
    1. Discussion on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations; Article 11.03 Height, Setback and Lot Requirements for All Districts; and Article 11.12 Definitions; and to add Article 11.05 Architectural Design Standards  
**Rawls Howard, Director of Planning and Development Services, made the presentation. He advised that there has been little change in the standards since the 1970's. There was much discussion among the Commissioners concerning the percentage of masonry required. The Commissioners requested additional options for maintaining the current masonry percentage, but requiring two distinct masonry materials as it applied to residential construction.**

**No action was taken.**

2. Discussion on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations Division 33 Corridor Overlay – To amend language regarding uses within Corridor Overlay

**Rawls Howard, Director of Planning and Development Services, made the presentation. He advised that staff addressed specific uses and locations in an effort to diversify uses and to preserve commercial corridors. The amendment would promote locating assisted living, extended care, convalescent/nursing homes, and extended care facilities mid-block or outside the Corridor Overlay. The amendment would encourage diversification of uses along the Corridor Overlay by applying a one-half mile spacing requirement to gasoline service stations (general and limited) and car washes. A map showing spacing measurements of existing gas stations was provided to the Commission. There was much discussion among the Commissioners concerning the one-half mile spacing.**

**No action was taken.**

3. Discussion on Ordinance Amendments to Chapter 14 – Site Development, Section 14.07 regarding regulations for residential and non-residential fencing

**Rawls Howard, Director of Planning and Development Services, made the presentation. He advised that the ordinances have never addressed the maintenance of fences. Staff proposed consolidating all fencing regulations into one area. In addition, staff proposed adding regulations regarding fence maintenance and prohibited fence types. There was general discussion among the Commissioners concerning the need for maintenance regulations. It was discussed that an eight foot fence could be requested by variance if an area had varied elevations.**

**No action was taken.**

4. Discussion on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts to add an Entertainment Center Overlay (ECO)

**Rawls Howard, Director of Planning and Development Services, made the presentation. He advised that the Entertainment Center Overlay (ECO) would be used to create an appropriate atmosphere for a specific area near the Cedar Park Center. Some uses would be permitted by right and some by Conditional Use Permit (CUP). There was general discussion among the Commissioners concerning what should be permitted by CUP. They suggested retail bakery, retail store, and retail gift store be permitted by CUP instead of by right. They also agreed that the portion to the south of the Cedar Park Center and north of East New Hope Drive be included in the ECO. Rawls Howard advised that staff will come back with part two of the amendment that will take a basic look at the building form and layout within the ECO.**

**No action was taken.**

6. **ADMINISTRATIVE ITEMS:**

*(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)*

A. **Director and Staff Comments**

**Director Rawls Howard reminded the Commissioners about the Town Hall meeting scheduled for February 16<sup>th</sup> at the Recreation Center. He advised the Commissioners that the City Council retreat had been held and they showed strong support for a new Comprehensive Plan. The current Comprehensive Plan goals have been met. It was approved in 1998 with an update in 2006. A Request for Qualifications (RFQ) will be done in the next few months.**

B. Commissioners Comments.

**Commissioner Lux asked about the construction at Colonial Parkway and Vista Ridge Boulevard. Rawls Howard advised that it was apartments.**

C. Request for Future Agenda Items. **None.**

7. ADJOURNMENT

**Chair Thomas adjourned the meeting at 8:21 p.m.**

PASSED AND APPROVED THE \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
STEPHEN THOMAS, Chairman

ATTEST:

\_\_\_\_\_  
LORENA ECHEVERRIA DE MISI, Secretary

February 21,  
2012

Subdivision

## Planning and Zoning Commission

### West Park Estates

Item:#

5A1

Case Number: PP-12-001

**OWNER:** Bob Gilfillan

**STAFF:** Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)

**LOCATION:** south side of Cedar Park Drive just west of US Hwy 183

**COUNTY:** Williamson

**AREA:** 11.16 acres

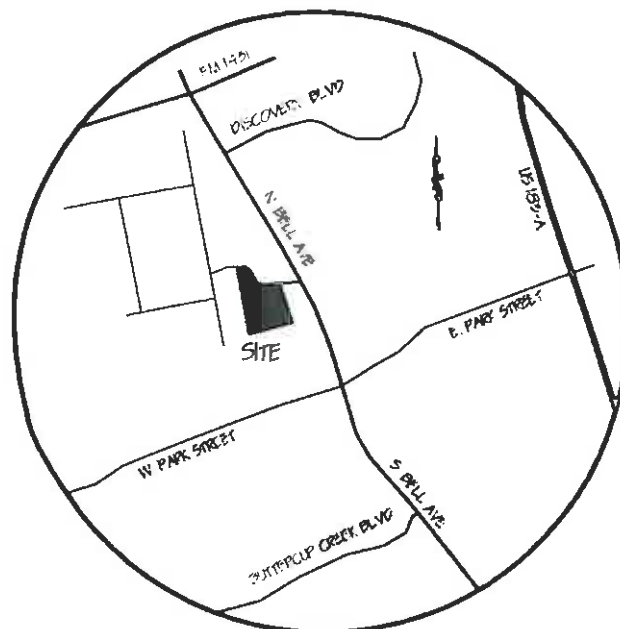
**ZONING:** SF

**SUBDIVISION DESCRIPTION:** 30 single family lots, 1 drainage and water quality lots

#### **STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



**LOCATION MAP**

NOT TO SCALE



February 21,  
2012

Subdivision

*Planning and Zoning Commission*  
**Whitestone Medical Pavilion, Replat of  
Lot 1-B, Block A**

**Item:#  
5A2**

**Case Number:** SFP-12-001

**OWNER:** Flagstar Bank FSB

**AGENT:** Tres Howland, Noble S&E Works LLC

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

**LOCATION:** South side of East Whitestone Boulevard, east of C-Bar Ranch Trail

**COUNTY:** Williamson

**AREA:** 4.084 acres

**ZONING:** General Office (GO)

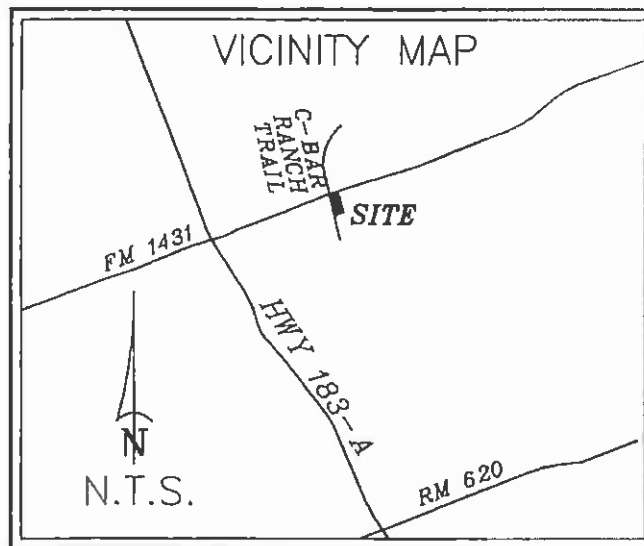
**SUBDIVISION DESCRIPTION:** 2 commercial lots

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**STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



February 21,  
2012

Subdivision

## Planning and Zoning Commission

### Scottsdale Crossing

Item:#  
5B1

Case Number: PP-11-007

**OWNER:** Pecan Grove SPVEF, Dennis McDaniel.

**AGENT:** Paul Linehan

**STAFF:** Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)

**LOCATION:** 183A Toll Road at Scottsdale

**COUNTY:** Williamson

**AREA:** 121.08 acres

**ZONING:** SF-3, GO, GR, GR-CO, LI

**SUBDIVISION DESCRIPTION:** 88 residential lots, 16 commercial lots

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**STAFF COMMENTS:**

This final plat meets all state and local requirements.

**STAFF RECOMMENDATION:**

Approve



LOCATION MAP



February 21,  
2012

Subdivision

## Planning and Zoning Commission

### Scottsdale Crossing

Item:#  
5B2

Case Number: SFP-11-008

**OWNER:** Pecan Grove SPVEF, Dennis McDaniel.

**AGENT:** Paul Linehan

**STAFF:** Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)

**LOCATION:** 183A Toll Road at Scottsdale

**COUNTY:** Williamson

**AREA:** 7.619 acres

**ZONING:** GR

**SUBDIVISION DESCRIPTION:** 3 commercial lots

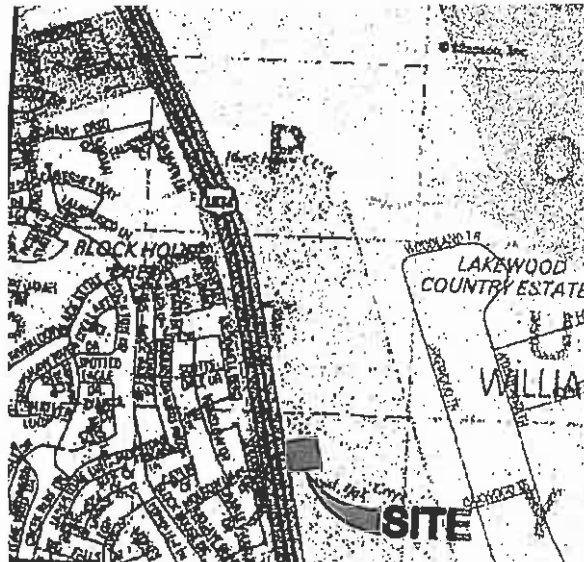
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#### **STAFF COMMENTS:**

This final plat meets all state and local requirements.

#### **STAFF RECOMMENDATION:**

Approve



February 21, 2012	<i>Planning and Zoning Commission</i>	<b>Item:#</b>
Subdivision	<b>Lakeline Sports</b>	<b>5B3</b>
<b>Case Number: SFP-11-009</b>		

**OWNER:** Caspita Industries Ltd

**AGENT:** Jennie Braasch, Pohl Partners

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

**LOCATION:** Old Mill Road, west of Lakeline Boulevard

**COUNTY:** Williamson

**AREA:** 2.8386 acres

**ZONING:** Local Retail-Conditional Overlay (LR-CO)

**SUBDIVISION DESCRIPTION:** 1 commercial lot

**STAFF COMMENTS:**

This subdivision meets all state and local requirements.

**STAFF RECOMMENDATION:**

Approve plat

February 21,  
2012  
Zoning

*Planning and Zoning Commission*  
**King William**

**Item:**  
**7A & 8A**

**Case Number: # Z-12-001**

**Owner:** Caspita Industries Ltd.

**Agent:** Jennie Braasch, Pohl Partners

**STAFF:** Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)

**LOCATION:** S. Lakeline Boulevard just north of Old Mill Road

**COUNTY:** Williamson

**AREA:** 1.3 acres

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**EXISTING ZONING:** Local Retail (LR)

**PROPOSED ZONING:** Commercial Services-Conditional Overlay (CS-CO) with the following conditions:

- Uses are limited to the following: Self Storage, Auto Parts and Accessories Sales, Dry Clean or Laundry Facility, Indoor Sports and Recreation and Veterinary Services

**STAFF RECOMMENDATION:** Local Retail (LR)

**EXISTING FUTURE LAND USE DESIGNATION:** Neighborhood Office/Retail/Commercial

**PROPOSED FUTURE LAND USE DESIGNATION:** Industrial

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**SUMMARY OF REQUEST:**

The applicant is requesting to rezone approximately 1.3 acres from Local Retail (LR) to Commercial Services with a Conditional Overlay (CS-CO) for property located on South Lakeline Boulevard just north of Old Mill Road.

**EXISTING SITE and SURROUNDING USES:**

The site is currently undeveloped and is surrounded by undeveloped GO property to the east, single family residential to the south (ETJ), a neighborhood park to the west (ETJ), and Old Mill Road to the north.

February 21,  
2012  
Zoning

*Planning and Zoning Commission*  
**King William**

**Item:**  
**7A & 8A**

**Case Number: # Z-12-001**



February 21, 2012 Zoning	<i>Planning and Zoning Commission</i> <b>King William</b>	<b>Item: 7A &amp; 8A</b>
<b>Case Number: # Z-12-001</b>		

**PURPOSE OF REQUESTED ZONING DISTRICT:**

The Commercial Services District, CS, is established to provide for business and commercial activities that are typically more intensive than consumer retail enterprises, often larger in scale, and often are designed to serve the region. Since generally they are not fully compatible with office or consumer retail uses, the permitted uses found in this district are combined in order to promote economic development and regional enterprise in a positive and sustainable manner for the City.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

**PERMITTED USES IN CS (Highlighted are the uses the applicant is limiting the site to):**

Automobile repair shop	Pest control, exterminating services
Automotive tire stores	Pool and Spa Sales and Service
Automotive parts and accessories sales	Print shop
Automotive paint and body shop	Communication Services
Automotive upholstery shop	Recreational Vehicle (RV) Park
Boarding kennels	Seasonal businesses
Construction sales and services	Self-storage
Crematorium	Temporary buildings
Dry cleaning and/or laundry facility, on-site	Trade shop
Equipment rental	Truck Stop
Gasoline service stations, general	Upholstery shops, not involving manufacture
Greenhouses, commercial	Utility services, general
Indoor shooting range	Veterinary Services
Indoor sports and recreation	Wrecker, impoundment
Office/showroom	Accessory structures
Office/warehouse	Food Preparation
Pawn shop	
Permanent makeup, tattooing, body piercing	

**COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:**

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial uses, with compatible zoning districts such as Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU).



February 21, 2012 Zoning	<i>Planning and Zoning Commission</i> <b>King William</b>	<b>Item: 7A &amp; 8A</b>
<b>Case Number: # Z-12-001</b>		

The applicant's request does not meet the intent of the Future Land Use Plan (FLUP) and therefore does not fulfill the goals outlined by the Comprehensive Plan.

**SITE INFORMATION:**

***Corridor Overlay:***

This tract is located within the Corridor Overlay.

***Transportation:***

South Lakeline Boulevard is classified as a major arterial.

***Water and Wastewater Utilities:***

Water and wastewater lines are sized adequately for the existing and requested zoning on the site.

***Subdivision:***

The property is not subdivided.

***Setback Requirements:***

	<b>Commercial Services (CS)</b>
<b>Front Setback</b>	25'
<b>Side Setback</b>	12'
<b>Rear Setback</b>	5'

***Architectural Requirements:***

Each exterior wall area of a site built in the CS district shall have a minimum of 25% masonry construction exclusive of doors and windows however, for any portion of the site that falls with in the corridor overlay, a 75% masonry structure is required.

**STAFF COMMENTARY:**

The applicant's intent is to develop this property as self storage as part of a larger development with property immediately to the south. The property to the south was granted a conditional use in 2008 when the zoning ordinance allowed property owners to request a zoning district and pick two additional conditional uses to add to the their zoning request. The ability to add uses to a zoning request while maintaining a LR zoning category is no longer an option in the ordinance.

The subject tract is currently zoned Local Retail (LR). The requested zoning category falls with in our industrial classifications which does not provide for compatibility with the adjacent



February 21, 2012 Zoning	<i>Planning and Zoning Commission</i> <b>King William</b>	<b>Item:</b> <b>7A &amp; 8A</b>
<b>Case Number: # Z-12-001</b>		

residential land use. In addition, the request does not meet the Future Land Use Plan. Changing the Future Land Use designation would allow the ability to modify the zoning designation to a more intense zoning district in the future, which is not appropriate at this location. This request is not supported by the purpose statement of the requested zoning category due to its potential intensity.

**STAFF RECOMMENDATION:**

Based upon the above information, staff recommends maintaining the existing Local Retail (LR) designation on the site.

**PUBLIC INPUT:** To date, no public testimony has been received.

**PUBLIC NOTIFICATION:** Cedar Park Citizen, February 9, 2012  
6 letter notices were sent to property owners within the 300' buffer

**PROPOSED CITY COUNCIL HEARINGS:** (March 22, 2012) 1<sup>ST</sup> Reading  
(April 12, 2012) 2<sup>ND</sup> Reading

February 21, 2012	<b>Planning and Zoning Commission</b>	<b>Item:</b>
Discussion and Possible Action	<b>Zoning Ordinance Amendment – Masonry/Architectural Standards</b>	<b>12A</b>
<b>Case Number: # OA-11-008</b>		

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktx.us](mailto:rawls.howard@cedarparktx.us)  
 JP LeCompte, 401-5030, [jp.lecompte@cedarparktx.us](mailto:jp.lecompte@cedarparktx.us)  
 Emily Barron, 401-5054, [emily.barron@cedarparktx.us](mailto:emily.barron@cedarparktx.us)  
 Amy Link, 401-5056, [amy.link@cedarparktx.us](mailto:amy.link@cedarparktx.us)

This item is being presented as a Council request to review and improve our masonry standards to align with our benchmark cities. The text provided below removes the masonry standards from individual districts and groups them into a new article titled Article 11.05 Architectural Standards. Future amendments regarding other building architecture related items will be provided as additions to this Article.

*There are pictures provided throughout the ordinance in order to provide examples to further conversations of these amendments but they will not be included in the actual ordinance.*

Revisions to our masonry requirements were discussed by the Planning and Zoning Commission at January 17, 2012 and the special called meeting of February 7, 2012. The information provided below is in response to the comments and questions received at those meeting. Based on feedback of the February 7<sup>th</sup> meeting staff has amended the report to provide a requirement for 2 distinct masonry materials within the residential masonry requirements. Options for the percentage of masonry have also been provided.

In consideration of this amendment staff reviewed our Benchmark Cities and their masonry standards. Please see below for that comparison.

**Benchmark City Comparison:**

	<b>CITY</b>	<b>RESIDENTIAL</b>	<b>NON-RESIDENTIAL</b>
<b>Austin Area</b>	<b>Cedar Park</b>	50%	25-50%
	<b>Leander</b>	50%-85%; varies based on number of stories	35%-85%; varies based on stories, orientation of the building etc...
	<b>Round Rock</b>	100% Townhome & Sr. Living None listed for SF residential (incl MH)	100% (includes MF, MU and open space) None listed for industrial, some public facilities, mining
	<b>Georgetown</b>	None	80%
	<b>Pflugerville</b>	100% front and sides, 75% rear	MF and MU 100% All commercial 100%
<b>Dallas Area</b>	<b>Allen</b>	None	100%
	<b>Flower Mound</b>	100% (for any wall facing a street, thoroughfare, park, public park or school area)	100% (front of the building)

February 21, 2012	<b>Planning and Zoning Commission</b>	<b>Item:</b>
Discussion and Possible Action	<b>Zoning Ordinance Amendment – Masonry/Architectural Standards</b>	<b>12A</b>
<b>Case Number: # OA-11-008</b>		

<b>Houston Area</b>	<b>Mansfield</b>	80% (special exceptions allowed)	70% (MF = 80%)
	<b>North Richland Hills</b>	85%	100%
	<b>Pearland</b>	None	100% (for any wall visible from a roadway or residential district)
	<b>Missouri City</b>	None	100% (includes CD and MF)
	<b>Sugarland</b>	85%	70%-85%

Masonry percentages reflected in the chart are exclusive of doors and windows. The definition for masonry is slightly different for each city; however, all are similar to the Cedar Park's masonry definition. Several cities allow hardi-plank, Exterior Insulation and Finish System (EIFS) or other materials to count toward their masonry requirement. Historically the City of Cedar Park has prohibited the use of EIFS other than for accents on structures due to the history of problems with the product; however, some business' preference is to use this product. In information provided by the Brick Industry Association: "EIFS cannot keep water out of the wall. Water penetration is inevitable; EIFS acrylic finish coat does not allow the water to evaporate back out through the surface, trapping moisture that will rot the sheathing, studs and other structural members. Drainage EIFS systems are not required in many areas but are new and have yet to prove EIFS immune to the effect of water penetration." This information was confirmed by our Building Inspections Department and provides staff's basis for recommendation limiting use of this product to accent applications only.

In addition to our Benchmark Cities staff researched the following surrounding cities identified as our top employment and industry competitors by the Economic Development Department:

**Additional Top Economic Development Competitors (Commercial):**

<u><b>City</b></u>	<u><b>Commercial % of Masonry</b></u>	<u><b>Permitted Materials we do not consider masonry</b></u>
Hutto	100%	Includes EIFS over 8' and hardi plank with a max of 50%
Temple	70%	Includes EIFS, siding and hardi plank
Bastrop	50%-100%	Siding, wood and glass
San Marcos	No Requirement	n/a

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Cost is often a factor when considering the use of more masonry versus other materials not considered masonry such as hardiplank. Below are some cost comparisons provided by The Brick Industry of brick versus hardiplank and the Home Builders Association of Greater Austin:



## By the Numbers

### Brick versus Fiber Cement Siding (Hard Board)

#### Initial Cost Comparison

On average using traditional Modular Sized Clay Brick versus Fiber Cement Siding (hard board) on a 2500sq/ft two-story home:

❖ Four sided Hard Board Home	\$205,000
❖ Four Sided Brick Home	\$214,193
❖ Actual Cost Difference	+ \$9,193
❖ Percent Difference	+ 4.5%
❖ Three sided Brick Home	\$211,760
❖ Actual cost Difference	+ \$6760
❖ Percent Difference	+ 3.3%
❖ Front Only Brick Home	\$207,873
❖ Actual Cost Difference	+ \$2873
❖ Percent Difference	+ 1.4%

#### Long Term Personal Wealth Gained

The following represents the actual personal wealth gained for a family during a five year period purchasing a three sided Brick versus complete Hard Board 2500sq/ft two-story home:

**Assuming the average appreciation follows the national trend at 2% annually on the new 100% Hard Board Home, but 8% appreciation on the new 75% Brick Home the five year post purchase values are:**

❖ Three sided brick home value	\$296,464
❖ Four sided hard board home value	\$225,500
❖ Difference in value	\$ 70,964
❖ Wealth gained (less initial cost and interest difference )	\$ 61,726

**This does not take into account the insurance, maintenance and energy savings gained over that same period!**

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## Zoning Ordinance Amendment – Masonry/Architectural Standards

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Provided by the Home Builders Association of Greater Austin:

### Info for Cedar Park P&Z meeting on 2/7

- The Cities of Austin and Georgetown have NO masonry requirements
- Examples of increased masonry costs from two builders:

I selected a 2,300 sq ft one-story and a 3,350 sq ft two-story. For each plan I calculated the impact on sales price, at our typical margin, of starting with 100% Hardie Colonial lap-siding and upgrading to 75% brick (standard selections), and then repeating for the upgrade from siding to Austin White Limestone.

The numbers are as follows:

2,300 sqft one-story. upgrade to 75% brick - \$4,700  
upgrade to white rock - \$6,775

3,350 sqft two-story. upgrade to 75% brick - \$7,760  
upgrade to white rock - \$11,180

There are obviously many different variables that would affect this estimate including size of home, plate heights and roof design, level (upgrade) of brick or stone, etc. For this exercise I used our level 1 brick and level 1 limestone as a comparison. I also used a 2,800 sq ft 1-story plan and a 3400 sq ft 2-story home as examples. These are our most popular size plans in the communities we build in Cedar Park.

For the 1-story plan:

The sales price increase that would be required to go from 100% hardi-style lap siding to 75% level 1 brick would be approximately \$4,750. For Level 1 limestone it would be \$6,450.

For the 2-story plan:

The sales price increase that would be required to go from 100% hardi-style lap siding to 75% level 1 brick would be approximately \$7,765. For Level 1 limestone it would be \$10,250.

These are for the level 1 brick and stone selections (our least expensive). For more decorative bricks or stone it would raise the price even more. For example, for the 2-story home, to go to level 3 stone (chocolate sandstone is popular in Ranch at Brushy Creek in Cedar Park) the sales price increase would be right around \$15,000 instead of \$10,250.

### • Austin-Round Rock, TX MSA Households Priced Out of the Market by an Increase in House Prices

Area	Mortgage Rate	House Price	Monthly Mortgage Payment	Taxes and Insurance	Minimum Income Needed	Households That Can Afford House
Austin-Round Rock, TX MSA	6.25%	\$140,000	\$813	\$348	\$49,675	309,328
Austin-Round Rock, TX MSA	6.25%	\$141,000	\$819	\$349	\$50,030	307,483
Difference		\$1,000	\$6	\$2	\$355	(1,845)
Austin-Round Rock, TX MSA	6.25%	\$220,000	\$1,278	\$544	\$78,081	191,987
Austin-Round Rock, TX MSA	6.25%	\$221,000	\$1,283	\$546	\$78,416	190,560
Difference		\$1,000	\$6	\$2	\$355	(1,427)

Calculations assume a 10% down payment and a 45 basis point fee for private mortgage insurance.

A Household Qualifies for a Mortgage if Mortgage Payments, Taxes, and Insurance are 28% of Income

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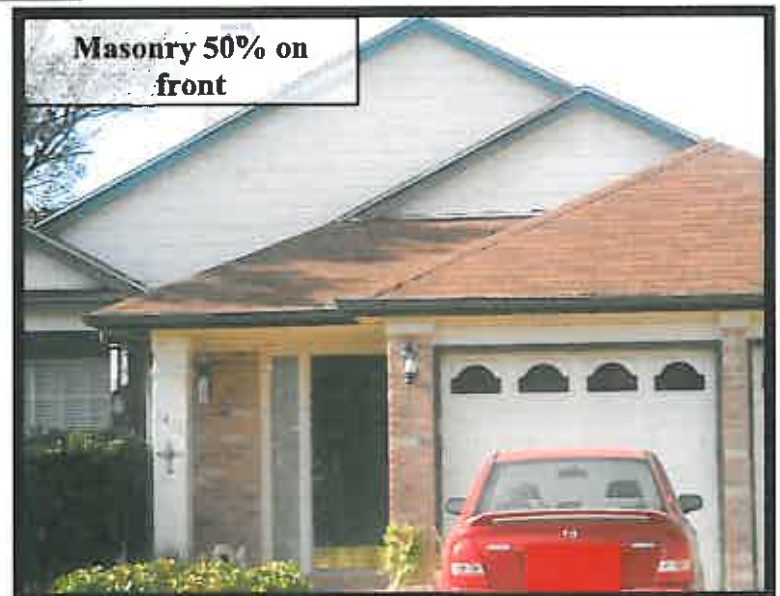
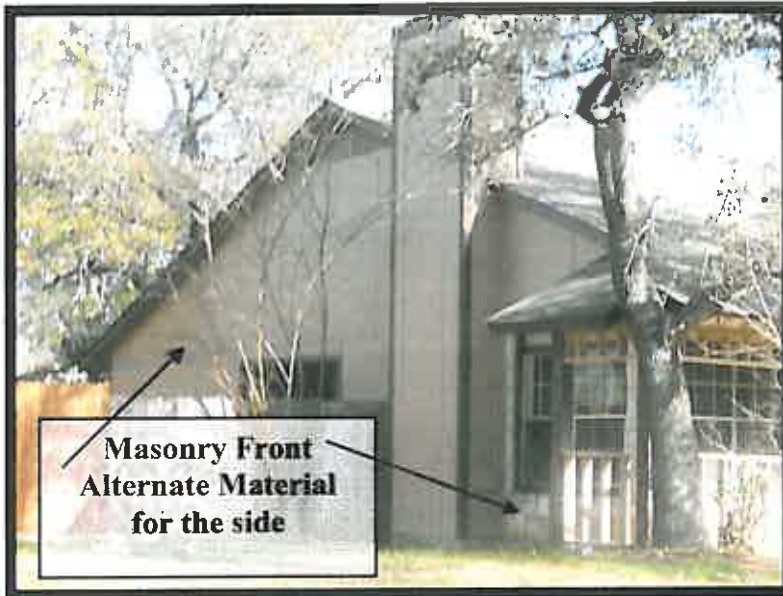
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**Residential Design History:**

**1980s:** Residential masonry requirements were first established in the 1979 however the application of the requirement has varied from decade to decade. Below are some examples of homes built in the 1980s.





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**1990s:** There was an increase in the use of masonry by home builders with primarily on the front and 1<sup>st</sup> floor side facades with alternate materials for the rear and 2<sup>nd</sup> story side facades.



**Front**



**Side**



**Rear**

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**2000s:** The use of masonry has increased in the last decade. Home builders use of masonry was primarily 100% on the front façade and the 1<sup>st</sup> floor of the side facades with masonry used occasionally on the rear facades.





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**Current:** The current masonry requirement is 50% for our single family residential districts. Home builders exceed this requirement on the majority of the homes built in recent years, utilizing hardiplank or other non masonry material on the rear of the building, 2<sup>nd</sup> story or small accents on the front façade. Below are some examples of homes recently constructed in Cedar Park.



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**Staff Recommendation:** Staff's recommendation is 75 percent masonry for residential properties. The pictures below details a newly constructed home that would meet or exceed these requirements.

**Front  
Façade**

100%  
masonry  
(stone, brick,  
and stucco  
with wood  
accents)



**Side Façades**

100% masonry  
(brick)



**Rear Façade**

100%  
hardiplank

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**Staff Recommendation:**

**Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum (existing)**  
**(See options provided after Section 11.12.002 of this report.)**

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
<u>Masonry</u>	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)	(50%)
<u>(10)</u>	50%	75%	75%	75%	75%	75%	75%	75%	75%	75%	100%

**10 - See Article 11.05 for specific masonry requirements**

**Sec. 11.03.002 Office/Commercial/Employment Center Standards**

Zoning District	TO	TC	GO	LR	GR	H	BD	CS	HC	MU
<u>Masonry (14)</u>	(50%)	(50%)	(50%)	(50%)	(50%)	(75%)	(75%)	(25%)	(25%)	100%
	100%	100%	100%	100%	100%	100%	100%	100%	100%	

**14 - See Article 11.05 for specific masonry requirements**

**Sec. 11.03.003 Industrial Standards**

Zoning District	LI	GI	HI
<u>Masonry(13)</u>	(50%) <u>50%</u>	(25%) <u>50%</u>	(25%) <u>50%</u>
	<u>(75% within the Corridor Overlay)</u>	<u>(75% within the Corridor Overlay)</u>	<u>(75% within the Corridor Overlay)</u>

**13 - See Article 11.05 for specific masonry requirements**

**Sec. 11.03.004 Institutional/Special District Standards**

Zoning District	PS	DR	OSG	OSR
<u>Masonry(9)</u>	(50%)	<u>n/a</u>	<u>n/a</u>	<u>100%</u>
	<u>100%</u>			

**(9) - See Article 11.05 for specific masonry requirements**

**Article 11.05 Architectural Design Standards**

**Sec. 11.05.001 Purpose**



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The purpose of these Architectural Design Standards is to ensure a higher degree of building construction, quality, and durability for structures built to promote public health, safety, and welfare within the City. In addition, these Standards are intended to promote high aesthetic appeal, promote compatible and uniform design, and reflect the characteristics of building materials and styles commonly found in Central Texas.

### Division 1: Masonry Standards

#### Sec. 11.05.002 Residential Design Standards

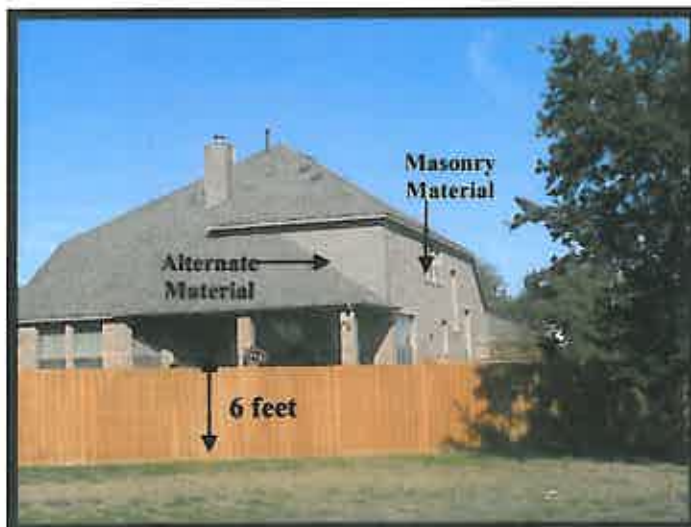
The masonry percentage is calculated based on the exterior wall surface of the entire structure, exclusive of doors and windows. For lots that face two or more streets, the masonry percentage applies to each wall face. All new residential structures shall meet the minimum masonry requirement listed in Section 11.03.001. In addition, a minimum of two (2) distinct masonry materials from Section 11.05.004 are required on all facades.



Alternate Material  
2<sup>nd</sup> Floor

Masonry 1<sup>st</sup> Floor

Examples of area visible from the rear of a double frontage lot:



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**Sec. 11.05.003 Design Standards for Non-Residential and Multi-Family Districts**

Each exterior wall surfaces of a structure built in a non-residential or multi-family district shall have the minimum prescribed masonry construction established in Section 11.03.002, 11.03.004 and 11.03.005 exclusive of doors and windows. In addition, a minimum of two (2) distinct masonry materials from Section 11.05.004 are required on all facades.

**Sec. 11.05.004 Permitted Masonry Materials**

The following masonry materials are permitted:

- A. Fired Brick;
- B. Concrete Brick;
- C. Natural and Manufactured Stone;
- D. Granite;
- E. Marble;
- F. Conventional Stucco;
- G. Brick Veneers;
- H. Stone Veneers;
- I. For non-residential districts, tilt wall panels;
- J. For non-residential districts, split faced CMU; and
- K. Other materials as approved by the Director of Planning consistent with the purpose of these Standards

**Sec. 11.05.005 Permitted Accent Materials**

Where a masonry requirement is less than 100%, accent materials may be used to treat the remainder of the wall face. Where the requirement is 100%, accent materials may be used for architectural embellishments. The following materials may be used as accent materials:

- A. Cementitious concrete siding (e.g. Hardiplank);
- B. For non-residential districts, exterior insulation and finish systems (“EIFS”, or synthetic stucco);
- C. Wood;
- D. For non-residential, architecturally finished CMU;
- E. Corrugated Metal or other types of metal; and
- F. Other materials as approved by the Director of Planning consistent with the purpose of these standards.

For industrial zones, “EIFS” or synthetic stucco shall not account for more than 10% of the secondary, accent wall surface.



Wood Trim  
Accent Example

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#### **Sec. 11.05.006 Prohibited Materials**

The following materials are prohibited:

- A. Plastic or vinyl siding (except as expressly allowed in Section 11.05.008); and
- B. Mirrored glass.

#### **Sec. 11.05.007 Exemptions**

The following are exempt from the masonry requirements:

- A. Existing residential structures, including all permanent structures;
- B. Portable buildings on school owned property;
- C. Manufactured Homes; and
- D. For accessory buildings located within the OSR zoning district may be constructed with exterior walls of metal provided:
  - i. such buildings are buffered by landscaping or other materials listed above so that the buffer comprises at least sixty (60) percent of the view from any public roadway, and
  - ii. metal siding colors shall be earthen colors.

#### **Sec. 11.05.008 Accessory Structures**

- A. For Accessory Structures subject to the requirements of Section 11.04.003, no masonry is required.
- B. For Accessory Structures subject to the requirements of Section 11.04.004, the following requirements apply:
  - 1. For non-residential accessory structures when the principal structure(s) contains twenty five (25) percent or more masonry exclusive of doors and windows, fifty (50) percent masonry construction is required.
  - 2. For residential accessory structures where the principle structure(s) contains twenty five (25) percent or more masonry and the accessory structure is not located behind a privacy fence or is visible from a public way, fifty (50) percent masonry construction is required.
  - 3. For existing principle structures constructed of cementitious fiberboard (e.g. Hardi-plank), wood, or vinyl siding and having less than twenty-five (25) percent masonry, accessory structures may be constructed of the same material.

#### **Sec.11.05.009 Additions**

- A. For additions to residential uses in the MH, ES, SF, SF-1, SF-2, and SF-3 zoning districts:

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1. For an addition to an existing principle structure that, before the addition, has at least fifty (50) percent masonry on the exterior walls, the masonry construction of the resulting addition and principle structure shall equal or exceed that of the pre-addition principle structure.

2. When adding to an existing principle structure that, before the addition, does not have fifty (50) percent of the exterior walls comprised of masonry construction, the exterior walls of the addition are not required to have masonry. The exterior walls of the addition shall be constructed of materials that are consistent in appearance and are equal to or exceeds the quality standards of the exterior materials on the principle structure where the addition is adjoining the building.

#### Sec. 11.05.010 Reserved

#### Sec. 11.05.011 Reserved

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#### Sec. 11.12.002 Definitions

##### Masonry Definitions:

- (A) Accent materials: Materials that are not counted as masonry materials and are used in a secondary capacity for building treatment.
- (B) Adhered veneer: Veneer secured and supported through adhesion to a bonding material applied over backing.
- (C) Anchored veneer: Veneer secured to and supported by mechanical fasteners attached to a backing.
- (D) Concrete Masonry Unit (CMU): A hollow concrete masonry unit made from portland cement and suitable aggregates such as sand, gravelly crushed stone, bituminous or anthracite cinders, burned clay or shale, pumic, volcanic scoria, air-cooled or expanded blast furnace slags, with or without the inclusion of other materials.
- (E) Earthen color: Shades of brown, yellow and green suggestive of natural earth tones.
- (F) Exterior veneer: Veneer applied to weather-exposed surfaces.
- (G) Fire brick: A refractory brick, capable of sustaining intense heat without fusion, usually made of fire clay or of siliceous material, with some cementing substance, and used for lining fire boxes, chimneys, etc.
- (H) Granite: Crystalline silicate rock with visible grains. The commercial term including gneiss and igneous rocks.
- (I) Interior veneer: Veneer applied to surfaces other than weather-exposed surface.
- (J) Marble: A rock that will polish and that is composed mainly of calcite or dolomite or, rarely, serpentine.
- (K) Masonry construction: Unless otherwise provided for in this chapter, exterior wall construction materials are fired brick, concrete brick, natural and manufactured stone, granite, marble, conventional stucco, brick veneers, and stone veneers for all structures, with the product set in grout, mortar, or

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**similar bonding materials.** Other exterior construction materials for nonresidential structures are tilt wall concrete panels, and split-faced CMU. Exterior insulation and finish systems (“EIFS”, or synthetic stucco), and cementitious concrete siding (e.g. Hardiplank) are not accepted as meeting the requirement for masonry construction for purposes of this chapter.

- (L) **Stone:** Rock selected or processed by shaping, cutting, or sizing for building or other use.
- (M) **Veneer:** Nonstructural facing of brick, concrete, stone, tile, or other similar material attached to a backing for the purpose of ornamentation, protection or insulation.

### Options for masonry percentage regarding residential construction:

**A) Adopt regulations requiring 75% masonry construction for residential zoning districts (staff recommendation):**

#### **Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum (existing)**

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
<b>Masonry(10)</b>	(50%) 50%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 75%	(50%) 100%

**10 - See Article 11.05 for specific masonry requirements**

**B) Maintain the current 50% masonry construction for residential districts:**

#### **Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum**

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
<b>Masonry(10)</b>	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	100%
	(11)	(11)	(11)	(11)	(11)	(11)	(11)	(11)	(11)	(11)	(11)

**10 - See Article 11.05 for specific masonry requirements**

**11 - For lots that face two or more streets, the masonry percentage is 75% for each wall face**



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## Planning and Zoning Commission

Ordinance  
Amendment

### Ordinance Amendment - Zoning Chapter 11 and Site Development Chapter 14 Regarding Fencing Regulations

Item:  
  
12B

OA-12-003

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktx.us](mailto:rawls.howard@cedarparktx.us)

Based upon comments received at the February 7<sup>th</sup> Planning and Zoning Commission special called meeting, exception language has been added under letter C, Residential Fences, to allow fences eight (8) feet in height when considerable slopes exist within a lot.

#### Sec. 14.07.007 **Fencing Regulations**

##### A. **General Regulations**

1. Fences shall not impede drainage.
2. No Fence or other structure more than thirty (30) percent solid or more than three (3) feet height shall be located so that it impairs the Sight Distance Triangle at the intersection of any rights-of-way.
3. Fences and walls must be maintained in a safe manner, plumb (vertical) to the ground. Fences or walls no longer maintained in a safe manner through neglect, lack of repair, manner of construction, method of placement, or otherwise must be repaired, replaced, or demolished. Failure to maintain a fence or wall in accordance with this section constitutes a violation of this ordinance, punishable pursuant to Section 1.01.009.
4. Prohibited fence types:
  - a. Fences or walls constructed primarily of barbed or razor wire, except for the purpose of enclosing livestock for agricultural purposes in RA districts;
  - b. Fences or walls carrying electrical current, except for the purpose of enclosing livestock for agricultural purposes in RA districts;
  - c. Fences or walls constructed of paper, cloth, canvas, or similar highly flammable material; and
  - d. Fences or walls topped with barbed wire or razor wire in residential zoning districts, except as used by a public institution for public safety or security purposes.

##### B. **Residential Fences**

1. Fences shall not exceed six (6) feet in height and shall be constructed of wood, wrought iron, masonry or similar material, permanently affixed to the ground.

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2. Only fences less than or equal to three (3) feet in height shall be allowed in the front setback.
3. For residential subdivisions located on or adjacent to a Corridor Overlay roadway, see also Section 12.12.017 Subdivision Walls for additional fencing requirements.
4. No fence shall exceed six (6) feet in height, with the exception of fences constructed in the following situation may be constructed up to eight (8) feet in height: where the slope of a line drawn perpendicular to the fence line averages twenty percent (20%) or more on either side of the fence over a distance no less than fifteen (15) feet.

#### C. Non-residential Fences

1. Privacy fences shall be six (6) feet in height and shall be constructed of masonry materials such as brick, stone, or decorative reinforced concrete or similar two-sided masonry or other equivalent material approved by the Director of Planning. Fence posts shall be constructed of rust-resistant metal parts, concrete-based masonry or concrete pillars of sound structural integrity.
2. No fence shall exceed six (6) feet in height, with the exception of fences constructed in the following situations may be constructed up to eight (8) feet in height:
  - a. To impede access to hazardous facilities including, but not limited to, electrical substations, swimming pools other than those used for single-family residential and chemical or equipment storage yards;
  - b. Where the slope of a line drawn perpendicular to the fence line averages twenty percent (20%) or more on either side of the fence over a distance no less than fifteen (15) feet.
3. The finished side of all fences built to comply with these regulations shall face the protected use.
4. Fencing requirements for projects located within the Corridor Overlay District:
  - a. No fencing is allowed within the 25-foot front setback area from a designated roadway. For a list of designated roadways see Section 11.02.278.
  - b. Any fencing behind the 25-foot front setback shall be wrought iron or tubular steel, or alternative similar products may be approved by the Director of Planning with appeal to the Planning and Zoning Commission.
  - c. Chain link fences shall only be used around detention ponds and/or water quality ponds. Chain link fencing shall be black or green vinyl-coated, including posts, and must be buffered by planting five-gallon evergreen shrubs and vines that will, at maturity, screen at least thirty percent (30%) of the view of the fence.

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### Ordinance Amendment - Zoning Chapter 11 and Site Development Chapter 14 Regarding Fencing Regulations

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#### 14.07.008 Reserved

#### Section 14.12.001 General Definitions

Fence - A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal, or similar material used as a boundary or means of protection or confinement, but not including a hedge or other vegetation.

Privacy Fence - A fence constructed of wood, cementitious concrete siding, masonry, or similar material to provide a visual barrier. Slats used in chain link, cinder and/or cement blocks, or similar materials shall not be considered privacy fencing and shall not be used for screening.

---

Delete Sections 14.07.007 and 14.07.008 as shown below:

#### ~~Sec. 14.07.007—Fencing requirements—residential~~

~~(a)—Privacy fences shall not exceed six (6) feet in height and be constructed of wood, masonry or similar material with metal or concrete posts and concrete bases. Slats used in chainlink or similar materials shall not be considered privacy fencing and shall not be used for screening.~~

~~(b)—Privacy fences shall not impede drainage.~~

~~(c)—Only fences less than or equal to three (3) feet in height shall be allowed in the front setback.~~

~~(d)—No fence or other structure more than thirty (30) percent solid or more than three (3) feet high shall be located so that it impairs the sight distance triangle at the intersection of any rights-of-way.~~

~~(e)—For residential subdivisions located on or adjacent to a roadway located in the corridor overlay see also section 12.12.017 subdivision walls for additional fencing requirements.~~

~~(Ordinance CO41-07-07-12 3H adopted 7/12/07)~~

#### ~~Sec. 14.07.008—Fencing requirements—nonresidential~~

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## Planning and Zoning Commission

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Amendment

### Ordinance Amendment - Zoning Chapter 11 and Site Development Chapter 14 Regarding Fencing Regulations

12B

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~~(a) Privacy fences shall be six (6) feet in height and be constructed of masonry materials such as brick, stone, or decorative reinforced concrete or similar two-sided masonry or other equivalent material approved by the director of planning. Fence posts shall be constructed of rust resistant metal parts, concrete-based masonry or concrete pillars of sound structural integrity. Slats used in chain link, cinder and/or cement blocks or similar materials shall not be considered privacy fencing and shall not be used for screening. (CO61-07-10-25-2A adopted 10/25/07)~~

~~(b) Privacy fences shall not impede drainage.~~

~~(c) No fence shall exceed six (6) feet in height, with the exception of fences constructed in the following situations. Exceptions may be fences that are constructed:~~

~~(1) To impede access to hazardous facilities including, but not limited to, electrical substations, swimming pools other than those used for single family residential and chemical or equipment storage yards.~~

~~(2) Where the slope of a line drawn perpendicular to the fence line averages twenty percent (20%) or more on either side of the fence over a distance no less than fifteen (15) feet.~~

~~(3) These fences shall in no case exceed eight (8) feet.~~

~~(d) No fence or other structure more than thirty percent (30%) solid or more than three (3) feet high shall be located so that it impairs the sight distance at the intersection of any rights-of-way.~~

~~(e) The finished side of all fences built to comply with these regulations shall face the protected use.~~

~~(f) Fencing requirements for projects located within the corridor overlay district:~~

~~(1) No fencing is allowed within the 25 foot front setback area from a designated roadway, for a list of designated roadways see section 11.02.278.~~

~~(2) Any fencing behind the 25 foot front setback area in the downtown corridor shall be decorative wrought iron or tubular steel; or alternative similar products may be approved by the planning department with appeal to the planning and zoning commission.~~

February 21,  
2012

## *Planning and Zoning Commission*

Ordinance  
Amendment

### **Ordinance Amendment - Zoning Chapter 11 and Site Development Chapter 14 Regarding Fencing Regulations**

**Item:  
12B**

**OA-12-003**

~~(3) Any fencing behind the 25-foot front setback in the remaining designated roadway corridors shall be wrought iron or tubular steel.~~

~~(4) Chainlink fences shall only be used around detention ponds and/or water quality ponds. Chainlink fencing shall be black or green vinyl coated, including posts, and must be buffered by planting five-gallon evergreen shrubs and vines that will, at maturity, screen at least thirty percent (30%) of the view of the fence.~~

Remove Privacy fence definition from Section 11.12.002 of the Chapter 11 as shown below:

~~A fence constructed of wood, cementitious concrete siding, masonry, or similar material to provide a visual barrier. See Chapter 14 Site Development Regulations.~~

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Ordinance Amendment	<b>Ordinance Amendment Zoning Chapter 11 Regarding Permitted Uses in the Corridor Overlay</b>	<b>12C</b>
<b>OA-11-010</b>		

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktx.us](mailto:rawls.howard@cedarparktx.us)

Based upon comments received at the February 7<sup>th</sup> Planning and Zoning Commission special call meeting, staff has modified the proposed amendment language to reflect a ½ mile spacing requirement between uses identified in items B2 and B3.

## Corridor Overlay

### **Sec. 11.02.279 Use Regulations**

#### A. Prohibited Uses on Corridor Overlay roadways (See Sec. 11.02.278)

1. Mini-warehouse or self-storage facilities (including boat and RV storage)
2. Material salvage unless enclosed within a building.
3. Outdoor storage
4. Sexually-oriented businesses
5. Transmitting and receiving towers.
6. Commercial off-site parking lots (not including parking structures)
7. Drive-in theaters
8. Manufactured home and RV sales
9. Used car sales

#### B. Uses with Additional Regulations along Corridor Overlay roadways:

1. The following principal use(s) shall not be located on a corner lot, where at least one frontage of such lot is on a Corridor Overlay roadway, as identified in Section 11.02.278:
  - a. Assisted Living Facility
  - b. Convalescent, Nursing Homes
  - c. Extended Care Facility, Nursing Home
2. The following principal use(s) shall not be located within ½ mile of the same principal use listed herein when located on a Corridor Overlay roadway:
  - a. Car Wash

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3. The following principal use(s) shall not be located within ½ mile of the same or another principal use listed herein when located on a Corridor Overlay roadway:
  - a. Gasoline Service Station, General
  - b. Gasoline Service Station, Limited
4. Under this section, distances between uses shall be measured from property line to property line, along the roadway frontage and in a direct line across intersections.

#### C. Existing Uses

1. Uses identified in Section 11.02.279(A) shall be treated as existing, non-conforming uses pursuant to Article 11.09.
2. Uses identified in Section 11.02.279(B) that are existing, including sites that are permitted but not yet constructed, as of [the date the ordinance amendment is approved] are not subject to the non-conforming use provisions established in Article 11.09 and shall be conforming uses.



